

REMARKS

Claims 1 and 2 have been cancelled in this application. Applicants reserve the right and option to contest the priority of Fateh et al. (U.S. 5,244,711) (the "Fateh" patent) in another patent application. New claims 3-62 have been added to point out with greater particularity the presently claimed invention. These claims are supported throughout the specification. No new matter has been introduced. Hence, entry of the new claims 3-62 is respectfully requested.

35 U.S.C. Section 102(b)

The Official Action has rejected claims 1 and 2 under 35 U.S.C. Section 102(b) as being anticipated by Fateh et al.. This rejection is moot in view of the cancellation of claims 1 and 2. The Fateh patent is not relevant to the pending claims as it fails to disclose all the features of the present invention. For example, the Fateh patent does not teach the sampling of distance measurement over time and the statistical analysis thereof as recited in claim 3. The Fateh patent also fails to disclose the combination of a distance sensor and a light sensor as recited, for example in claim 9. Accordingly, withdrawal of the Section 102(b) rejection is requested.

Applicants submit that the present claims are in a condition for allowance and respectfully request an early notification of allowance of the present claims.

Respectfully submitted,

Date: 22 Oct 02

By: *Dahna S. Pasternak*
Dahna S. Pasternak
Registration No. 41,411

ROBINS & PASTERNAK LLP
545 Middlefield Road, Suite 180
Menlo Park, CA 94025
Tel.: (650) 325-7812
Fax: (650) 325-7823